

## Declaration for Patent Application

Docket Number: 0652.2090000/REF/ALS  
BI Ref. No: Case 12/194-US

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled Transfection Particles, the specification of which is attached hereto unless the following box is checked:

- ☒ was filed on June 1, 2000,  
as United States Application Number 09/555,574 or National Stage of PCT International Application Number PCT/EP98/07695, and  
was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application, which designated at least one country other than the United States listed below, and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

EP 97 121 308.7  
(Application No.)

Europe  
(Country)

December 4, 1997  
(Day/Month/Year Filed)

☒ Yes ☐ No

\_\_\_\_\_  
(Application No.)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Day/Month/Year Filed)

☐ Yes ☐ No

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

\_\_\_\_\_  
(Application No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application No.)

\_\_\_\_\_  
(Filing Date)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or under § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56 that became available between the filing date of the prior application and the national or PCT international filing date of this application.

PCT/EP98/07695  
(Application No.)

November 28, 1998  
(Filing Date)

\_\_\_\_\_  
(Status - patented, pending, abandoned)

\_\_\_\_\_  
(Application No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status - patented, pending, abandoned)

Send Correspondence to:

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.  
1100 New York Avenue, N.W.  
Suite 600  
Washington, D.C. 20005-3934

Direct Telephone Calls to:

(202) 371-2600

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1-00	Full name of sole or first inventor <u>Jean-Paul BEHR</u>	
	Signature of sole or first inventor <u>Jean Paul Behr</u>	<u>September 28, 2000</u> Date
	Residence <u>Strasbourg, France</u> <u>FRX</u>	
	Citizenship <u>FR</u> ✓	
	Post Office Address <u>7, rue Eugénie, F-67100 Strasbourg, France</u>	
2-00	Full name of second inventor <u>Thomas BLESSING</u>	
	Signature of second inventor <u>[Signature]</u>	<u>Sept. 15, 2000</u> Date
	Residence <u>Wien, AT</u> <u>ATX</u>	
	Citizenship <u>FR</u>	
	Post Office Address <u>Am Hofgärtel 8/4/24, A-1110 Wien, Austria</u> ✓	
3-00	Full name of third inventor <u>Ernst WAGNER</u>	
	Signature of third inventor <u>[Signature]</u>	<u>Sept 13, 2000</u> Date
	Residence <u>Langenzersdorf, AT</u> <u>ATX</u>	
	Citizenship <u>AT</u>	
	Post Office Address <u>Wiener Strasse 201, A-2103 Langenzersdorf, Austria</u> ✓	

H-00

Full name of sole or fourth inventor <u>Susanne SCHUELLER</u>	
Signature of sole or fourth inventor <i>Susanne Schueller</i>	Date <i>Sept. 13, 2000</i>
Residence <u>Wien, AT A TX</u>	
Citizenship <u>AT</u>	
Post Office Address <u>Himmelschlüsselweg 7, A-1160 Wien, Austria</u>	

(Supply similar information and signature for subsequent joint inventors, if any)

SKIP Rev 9/2/98

12/1994

Docket Number: 0652.2090000/REF/ALS  
BI Ref No: Case 12/194-US

## POWER OF ATTORNEY FROM ASSIGNEE

Boehringer Ingelheim International GmbH, a corporation of Germany, having a principal place of business at D-55216 Ingelheim am Rhein, GERMANY, is co-assignee of entire right, title and interest for the United States of America (as defined in 35 U.S.C. § 100), by reason of an Assignment to the Assignee from Thomas BLESSING, Ernst WAGNER, and Susanne SCHUELLER executed on Sept. 15, 2000; Sept 13, 2000; Sept 13, 2000 of an invention known as Transfection Particles (Attorney Docket No. 0652.2090000/REF/ALS), which is disclosed and claimed in a patent application of the same title by the inventor(s) Jean-Paul Behr, Thomas BLESSING, Ernst WAGNER, and Susanne SCHUELLER (said application filed on June 1, 2000 at the U.S. Patent and Trademark Office, having Application Number 09/555,574).

Jane  
Reg. No.  
38,759

The Assignee hereby appoints the following U.S. attorneys to prosecute this application and any continuation, divisional, continuation-in-part, or reissue application thereof, and to transact all business in the U.S. Patent and Trademark Office connected therewith: Robert Greene Sterne, Esq., Reg. No. 28,912; Edward J. Kessler, Esq., Reg. No. 25,688; Jorge A. Goldstein, Esq., Reg. No. 29,021; Samuel L. Fox, Esq., Reg. No. 30,353; David K.S. Cornwell, Esq., Reg. No. 31,944; Robert W. Esmond, Esq., Reg. No. 32,893; Tracy-Gene G. Durkin, Esq., Reg. No. 32,831; Michele A. Cimbala, Esq., Reg. No. 33,851; Michael B. Ray, Esq., Reg. No. 33,997; Robert E. Sokohl, Esq., Reg. No. 36,103; Eric K. Steffe, Esq., Reg. No. 36,688; Michael Q. Lee, Esq., Reg. No. 35,239; Steven R. Ludwig, Esq., Reg. No. 36,203; Raz E. Fleshner, Esq., Reg. No. 34,331; John M. Covert, Esq., Reg. No. 38,759; and Linda E. Alcorn, Esq., Reg. No. 39,588. The Assignee hereby grants said attorneys the power to insert on this Power of Attorney any further identification that may be necessary or desirable in order to comply with the rules of the U.S. Patent and Trademark Office.

Send correspondence to:

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.  
1100 New York Avenue, N.W.  
Suite 600  
Washington, D.C. 20005-3934  
U.S.A.

Direct phone calls to 202-371-2600.

FOR: Boehringer Ingelheim International GmbH  
ppa. [Signature] ppa. [Signature]  
SIGNATURE: \_\_\_\_\_  
BY: Dr. Dieter LAUDIEN Dr. Heinz-Gerd KLÄS  
Head of Patent Division Head of Patent Department  
TITLE: \_\_\_\_\_  
DATE: Sept. 12, 2000

**POWER OF ATTORNEY FROM ASSIGNEE WITH DELEGATION**

Université Louis Pasteur de Strasbourg, a university of France, having a principal place of business at 4, rue Blaise Pascal, F-67000 Strasbourg, France, is co-assignee of entire right, title, and interest for the United States of America (as defined in 35 U.S.C. §100), by reason of an Assignment to the Assignee from Jean-Paul BEHR executed on Sept. 2, 2000 of an invention known as Transfection Particles (Attorney Docket No. 0652.2090000/REF/ALS), which is disclosed and claimed in a patent application of the same title by the inventor(s) Jean-Paul BEHR, Thomas BLESSING, Ernst WAGNER, and Susanne SCHUELLER (said application filed on June 1, 2000 at the U.S. Patent and Trademark Office, having Application Number 09/555,574 ).

*Jmc*  
Ref No.  
38,759

16-

The Assignee hereby appoints the following U.S. attorneys to prosecute this application and any continuation, divisional, continuation-in-part, or reissue application thereof, and to transact all business in the U.S. Patent and Trademark Office connected therewith: Robert Greene Sterne, Registration No. 28,912; Edward J. Kessler, Registration No. 25,688; Jorge A. Goldstein, Registration No. 29,021; Samuel L. Fox, Registration No. 30,353; David K.S. Cornwell, Registration No. 31,944; Robert W. Esmond, Registration No. 32,893; Tracy-Gene G. Durkin, Registration No. 32,831; Michele A. Cimbala, Registration No. 33,851; Michael B. Ray, Registration No. 33,997; Robert E. Sokohl, Registration No. 36,013; Eric K. Steffe, Registration No. 36,688; Michael Q. Lee, Registration No. 35,239; Steven R. Ludwig, Registration No. 36,203; Raz E. Fleshner, Registration No. 34,331; John M. Covert, Registration No. 38,759; and Linda E. Alcorn, Registration No. 39,588. The Assignee hereby grants said attorneys the power to insert on this Power of Attorney any further identification that may be necessary or desirable in order to comply with the rules of the U.S. Patent and Trademark Office.

The Assignee hereby authorizes the U.S. attorneys named herein to accept and follow instructions from Boehringer Ingelheim GmbH as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and the Assignee. In the event of a change in the person(s) from whom instructions may be taken, the U.S. attorneys named herein will be so notified by the Assignee.

Send correspondence to:  
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.  
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U.S.A.

Direct phone calls to 202-371-2600

FOR: ULP  
SIGNATURE: [Signature]  
BY: LLERENA Patrice  
TITLE: V-President ULP  
DATE: Sept 29, 2000

12/194

**Certificate Under 37 C.F.R. § 3.73(b)**

Docket Number: 0652.2090000/REF/ALS  
BI Ref. No: Case 12/194-US

Applicant/Patent Owner: Jean-Paul BEHR, Thomas BLESSING, Ernst WAGNER, and Susanne SCHUELLER

Application No./Patent No.: 09/555,574 (PCT Int. Appl. No. PCT/EP98/07695)

U.S. Filing Date: June 1, 2000

Entitled: Transfection Particles

Boehringer Ingelheim International GmbH, a Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest, or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A. ☒ An Assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s) of the patent application/patent identified above to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

**[NOTE:** A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Date: Sept. 12, 2000

Name: Dr. Dieter LAUDIEN

Title: Head of Patent Division

Signature: Dieter

# Certificate Under 37 C.F.R. § 3.73(b)

Docket Number: 0652.2090000/REF/ALS  
BI Ref. No: 12/194-US

Applicant/Patent Owner: Jean-Paul BEHR, Thomas BLESSING, Ernst WAGNER, and Susanne

SCHUELLER

Application No./Patent No.: 09/555,574 (PCT Int. Appl. No. PCT/EP98/07695)

U.S. Filing Date: June 1, 2000

Entitled: Transfection Particles

Université Louis Pasteur de Strasbourg, a University  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest, or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☒ An Assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s) of the patent application/patent identified above to the current assignee as shown below:

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The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
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The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Date: 07 SEP. 2000

Name: X LLERENA Patrice

Title: X V. d. Secretary ULP

Signature: X